

CHAPTER 7

PUBLIC UTILITIES

SENATE BILL 20B-003

BY SENATOR(S) Fields and Crowder, Bridges, Cooke, Danielson, Donovan, Fenberg, Foote, Gardner, Ginal, Gonzales, Hansen, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, Zenzinger, Garcia;
 also REPRESENTATIVE(S) Duran and Landgraf, Arndt, Benavidez, Bird, Bockenfeld, Buckner, Buentello, Caraveo, Champion, Coleman, Cutter, Esgar, Exum, Froelich, Gonzales-Gutierrez, Gray, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Kraft-Tharp, Lontine, McCluskie, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Sandridge, Sirota, Snyder, Soper, Sullivan, Tipper, Titone, Valdez D., Weissman, Will, Woodrow, Young, Becker.

AN ACT

CONCERNING ASSISTANCE FOR INDIVIDUALS WHO ARE UNABLE TO PAY THEIR ENERGY UTILITY BILLS, AND, IN CONNECTION THEREWITH, TRANSFERRING MONEY FROM THE GENERAL FUND TO THE ENERGY OUTREACH COLORADO LOW-INCOME ENERGY ASSISTANCE FUND.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 40-8.7-112, **amend** (2)(a), (2)(f)(VI), and (2)(f)(VII) as follows:

40-8.7-112. Department of human services low-income energy assistance fund - creation - energy outreach Colorado low-income energy assistance fund - creation - Colorado energy office low-income energy assistance fund - creation - definitions - repeal. (2) (a) (I) There is hereby created in the state treasury the energy outreach Colorado low-income energy assistance fund, administered by the Colorado energy office. The fund consists of all money transferred by the state treasurer as specified in section 39-29-109.3 (2)(f) and any other money that the general assembly appropriates or transfers to the fund for the purposes set forth in this subsection (2). All money in the fund is continuously appropriated to the Colorado energy office for distribution to the organization to be used for the purposes set forth in this subsection (2). EXCEPT AS PROVIDED IN SUBSECTION (2)(a)(II) OF THIS SECTION, all money in the fund at the end of each fiscal year remains in the fund and does not revert to the general fund or any other fund.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(II) (A) ON THE EFFECTIVE DATE OF THIS SUBSECTION (2)(a)(II), THE STATE TREASURER SHALL TRANSFER FIVE MILLION DOLLARS FROM THE GENERAL FUND TO THE ENERGY OUTREACH COLORADO LOW-INCOME ENERGY ASSISTANCE FUND. THE COLORADO ENERGY OFFICE SHALL DISTRIBUTE THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (2)(a)(II)(A) TO THE ORGANIZATION WITHIN THREE BUSINESS DAYS AFTER THE TRANSFER. THE ORGANIZATION SHALL DISBURSE THE MONEY BEFORE JUNE 30, 2021. ANY MONEY THAT THE ORGANIZATION RECEIVES PURSUANT TO THIS SUBSECTION (2)(a)(II)(A) THAT HAS NOT BEEN DISBURSED BY JUNE 30, 2021, MUST BE RETURNED TO THE STATE ON JUNE 30, 2021, UNDER TERMS DICTATED BY THE STATE CONTROLLER FOR THE PURPOSE OF TRANSMITTING THE UNUSED MONEY TO THE GENERAL FUND.

(B) ON OR BEFORE JULY 15, 2021, THE ORGANIZATION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE THAT INCLUDES, WITH REGARD TO THE MONEY THE ORGANIZATION RECEIVED PURSUANT TO SUBSECTION (2)(a)(II)(A) OF THIS SECTION, INFORMATION ON THE AMOUNT OF MONEY THAT THE ORGANIZATION DISBURSED AND ON THE AMOUNT OF MONEY THAT THE ORGANIZATION RETURNED TO THE STATE. THE COLORADO ENERGY OFFICE MAY CONDUCT AN AUDIT OR REVIEW OF THE ORGANIZATION'S FINANCIAL TRANSACTIONS AND ACCOUNTS REGARDING THE MONEY THAT THE ORGANIZATION RECEIVED PURSUANT TO SUBSECTION (2)(a)(II)(A) OF THIS SECTION, TO THE EXTENT THAT INDIVIDUAL BENEFITTING RECIPIENT DATA MUST BE AGGREGATED TO RETAIN PRIVACY.

(C) THE ORGANIZATION SHALL NOT USE ANY MONEY IT RECEIVES PURSUANT TO THIS SUBSECTION (2)(a)(II) FOR ADMINISTRATIVE PURPOSES OR TO COVER ANY EXPENSES RELATED TO AN APPLICATION THAT WAS FILED TO REQUEST DIRECT UTILITY BILL PAYMENT ASSISTANCE PURSUANT TO SUBSECTION (2)(f) OF THIS SECTION.

(D) THIS SUBSECTION (2)(a)(II) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

(f) (VI) The organization must spend all of the money it receives from the Colorado energy office pursuant to this subsection (2)(f) before ~~December 4~~ DECEMBER 11, 2020. The organization shall return to the state any unexpended money received pursuant to this subsection (2)(f) under terms dictated by the state controller for the purpose of transmitting the unexpended money to the unemployment compensation fund, created in section 8-77-101 (1)(a), on or before December 30, 2020.

(VII) This subsection (2)(f) is repealed, effective ~~January 1~~ SEPTEMBER 1, 2021.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: December 7, 2020